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8
9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**
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12 ROMAN AKIMOV,

13 Petitioner,

14 v.

15 CHRISTOPHER LAROSE,

16 Respondents.
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Case No.: 26-cv-03757-CAB-MSB

**RETURN TO PETITION FOR
WRIT OF HABEAS CORPUS**

21 Respondents, by and through counsel, hereby respond to the Petition for Writ of
22 Habeas Corpus. Petitioner is subject to a final order of removal, detained under 8 U.S.C.
23 § 1231(a), and was previously released from immigration custody on an order of
24 supervised release pursuant to 8 U.S.C. § 1231(a)(3). Undersigned counsel is unable to
25 ascertain sufficient facts at this time to establish that Petitioner's supervised release was
26 revoked according to the procedures established by law. The government acknowledges
27 that this Court, and Courts in this District, have repeatedly ordered release under the same
28 and/or similar facts. Accordingly, the government acknowledges that this Court's prior

1 decisions will control the result here if the Court adheres to its prior decisions, as the facts
2 are not materially distinguishable for purposes of the Court's decision, and on that basis
3 the government acknowledges that Petitioner is entitled to be released from custody
4 subject to conditions of supervision. *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1);
5 *Ba v. Lyons*, No. 25-cv-2871-CAB-BJW, 2026 WL 218936, at *1 (S.D. Cal. Jan. 27,
6 2026) ("The habeas statute does not empower courts to manage ICE supervision
7 programs.") (citing 28 U.S.C. § 2241(c)(3)); *Khachikian v. Casey*, No. 25-cv-3737-GPC-
8 JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026) ("Ultimately, ICE has discretion to impose
9 conditions on release.").

10 DATED: July 13, 2026

Respectfully submitted,

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12 ADAM GORDON
13 United States Attorney

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15 JACOB T. METZGER
16 Special Assistant U.S. Attorney
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